

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In Re:	)	Case No. 19 B 27159
	)	
CHARISE B. WHALEY,	)	Chapter 13
	)	
Debtor.	)	Hon. Donald R. Cassling

**AGREED ORDER CONDITIONING AUTOMATIC STAY AND CO-DEBTOR STAY**

This matter coming before the Court upon the Motion of AMERICREDIT FINANCIAL SERVICES, INC., D/B/A GM FINANCIAL ("AmeriCredit") to Modify Automatic Stay and Co-Debtor Stay, due notice having been given, the parties being in agreement, and the Court being fully advised in the premises;


**IT IS HEREBY ORDERED:**

1. AmeriCredit's Motion to Modify Automatic Stay and Co-Debtor Stay is granted, in part, and withdrawn, in part, subject to the conditions of this Order;
2. That if not already provided, Charise B. Whaley ("Debtor"), agrees to provide AmeriCredit with proof of insurance for the 2014 Chevrolet Impala motor vehicle bearing a Vehicle Identification Number of 2G11Y5SLXE9317873 (the "Vehicle"), which is the subject of its Motion to Modify Automatic Stay and Co-Debtor Stay, *instantly*;
3. That Debtor agrees that he/she or non-filing co-buyer, Corey Lewis ("Co-Debtor"), will at all times maintain valid insurance on the Vehicle wherein AmeriCredit is listed as the lienholder/loss payee and agrees to provide AmeriCredit with proof of same without demand;
4. That in the event Debtor fails to tender payment to AmeriCredit pursuant to the Chapter 13 Plan and Debtor's and Co-Debtor's Retail Installment Contract with AmeriCredit, to the extent that said non-payment results in a default in Debtor's and Co-Debtor's payment obligations thereunder to AmeriCredit of two (2) or more monthly payments, or otherwise fails to comply with any of the other terms or conditions of this Order, such failure shall constitute a default by Debtor of the provisions of this Order as to AmeriCredit, which shall have the right to take possession of and foreclose its security interest in the Vehicle as provided by Illinois law and statute without having to seek leave of Court to modify the automatic stay and co-debtor stay in these proceedings if such default is not cured within fourteen (14) days of notice to Debtor and counsel by AmeriCredit;

5. If applicable, upon modification of the automatic stay and co-debtor stay as outline above, and after AmeriCredit has foreclosed its security interest in the Vehicle, AmeriCredit may be allowed an amended, unsecured claim for any deficiency balance remaining.

AGREED:

  
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Lincoln M. King, Esq.  
On behalf of Debtor, Charise B. Whaley

  
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Cari A. Kauffman, Esq.  
On behalf of AmeriCredit Financial  
Services, Inc., d/b/a GM Financial

ENTER:

  
\_\_\_\_\_

Judge: Donald R. Cassling

Date: April 24, 2020

**Prepared by counsel for Movant:**

Cari A. Kauffman (Ill. #6301778)  
Sorman & Frankel, Ltd.  
180 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601  
(312) 332-3535  
(312) 332-3545 (facsimile)